

NEW YORK LOS ANGELES DETROIT

Ariana J. Tadler New York Direct Dial: 212-946-9453 atadler@milberg.com

January 29, 2016

VIA ECF

Honorable Roslynn R. Mauskopf United States District Court Eastern District of New York 225 Cadman Plaza East Brooklyn, N.Y. 11201

Re: Frito-Lay North America, Inc. "All Natural" Litigation, Case No. 1:12-MD-02413-RRM-RLM

Dear Judge Mauskopf,

On November 10, 2015, Plaintiffs filed a Motion for Preliminary Approval of Settlement of the above-captioned action (Doc. 100), including a Proposed Order Preliminarily Approving the Class Action Settlement (Doc. 100-1).

The parties await further instruction from the Court insofar as any additional information to be submitted. In the event that the Court plans to enter a Preliminary Approval Order without additional input from the parties, the parties jointly request that the date for the Fairness Hearing be set at least 95 days after entry of the Order, to allow for the orderly completion of the required pre-Hearing filings. The required filings are listed in Paragraph 25 of the Proposed Order, with the proposed date for each filing expressed as a fixed number of days before the Fairness Hearing. The proposal that the Hearing follow entry of the Order by at least 95 days was inadvertently omitted from the Proposed Order.

Thank you for your consideration. The parties are available for an in-person or telephone conference to address any questions the Court may have about the settlement and to set a schedule to complete the approval process.

Respectfully submitted,

Ariana J. Tadler

Interim Co-Lead Counsel

AJT:SM